

LYNDON CITY COUNCIL
REGULAR MEETING MINUTES OF
APRIL 5, 2010

The Lyndon City Council met in regular session on Monday, April 5, 2010, 7:30 p.m., at City Hall.

Members Present: Kay Jones, Wayne Howard, Bill Patterson, Brandon Smith,
Doug Watson, Mayor Jeff Bronson, City Attorney Pat Walsh,
City Administrator Larry Thurston and City Clerk Barbara Schattak

Others Present: Wayne Walquist, RWD #1
Richard Taylor, Burlingame Township
Kevin Payne, Valleybrook Township
Dave Wilson, Maintenance Superintendent
Julie Nelson and Kayla Banzhaf

Mayor Jeff Bronson called the meeting to order. A motion was made by Jones to approve the minutes of the adjourned meeting of March 22, 2010 as amended. Watson seconded the motion, which carried.

APPROVAL OF BILLS: Vouchers for payment of March expenses were presented. A motion was made by Patterson to pay accounts as set forth. Jones seconded the motion, which carried.

PUBLIC COMMENTS: Wayne Walquist of RWD #1 reported he has been in contact with State officials regarding their district and their requirements and asked for the City's opinion. It was noted the district was formed in 1959 but never officially recognized by the State. Wayne stated the State reported it doesn't matter to the City if the district gets their water from Rural Water District No. 7. If the City or the District 7 does not provide for testing, then RWD #1 will need to hire a water operator and take their own samples. Wayne informed the council it is not acceptable to homeowners on the district to be annexed into town and if the City would annex the homes then they would need to do the same with others who live outside of town and are provided city water. It would however be acceptable by RWD #1 for the City to take over the line without any stipulations.

Wayne reported the District could pay one of the City's water operators 50 cents per meter to obtain samples for testing as required by KDHE. Pat Walsh reminded the Council he is the attorney for RWD #7 and in the past the City has hired Rick Hines as counsel for such matters. After some discussion, the matter was tabled to the next meeting. Larry will contact Rick Hines to represent the City.

Kevin Payne, Valleybrook Township, and Richard Taylor, Burlingame Township, updated the council on what would happen to taxes within the city if the county would take over maintenance of county roads. Kevin reported it could have a large impact on the tax base to all citizens of the cities within the county and it would also apply to property taxes on all vehicles; each member was given a sample of tax rates. Kevin stated the county unit will begin in May. There are individuals going door to door with a protest petition to bring the county unit up for

a vote. It was noted other cities are giving information to their citizens to explain the situation and Kevin asked if the city would help get the word out for citizens to sign the petition to get this on the ballot. After some discussion, it was the consensus of the council to put a generic message on the water bills regarding future tax levies.

At 8:14 p.m. a motion was made by Howard to recess to executive session for 20 minutes to discuss a personnel matter and have Julie Nelson attend. Patterson seconded the motion, which carried. The governing body reconvened at 8:35 p.m.

At 8:36 p.m. a motion was made by Jones to recess to executive session for 20 minutes to discuss a personnel matter and have Kayla Banzhaf attend. Smith seconded the motion, which carried. The governing body reconvened at 8:56 p.m.

At 8:57 p.m. a motion was made by Patterson to recess to executive session for 40 minutes to discuss a personnel matter. Howard seconded the motion, which carried. The governing body reconvened at 9:27 p.m.

A motion was made by Patterson to offer the pool manager position to Kayla Banzhaf at \$10 an hour for the 2010 season. Jones seconded the motion, which carried.

CONSTRUCTION STANDARDS: City Attorney, Pat Walsh presented Ordinance No. 765 regulating certain construction standards within the corporate limits of the City of Lyndon, Kansas and incorporating by reference said standards. After some discussion, a motion was made by Watson to approve Ordinance No. 765 and authorize Mayor Bronson to sign on behalf of the city. Jones seconded the motion, which carried. It was noted three copies of the construction standards will be on file in city hall.

JOB DESCRIPTIONS: City Attorney, Pat Walsh presented Resolution No. 10-1 adopting the City of Lyndon, Kansas employee performance job description and evaluation and repealing Resolution No. 07-3. After some discussion, a motion was made by Jones to adopt Resolution No. 10-1 and authorize Mayor Bronson to sign on behalf of the city. Patterson seconded the motion, which carried.

FIREWORKS: City Attorney, Pat Walsh suggest the council look over the old fireworks ordinance and the model ordinance from the League of Kansas Municipalities as parts of both could be used to create a new ordinance. After some discussion, the matter was tabled.

TREE MEMORIAL: The parents of Kerensa Ward have requested to place a tree in Jones Park in memory of their daughter who recently passed away. Larry presented a diagram from Brad Loveless, Tree Board Chairman, of Jones Park and a possible location to place the tree. After some discussion, it was the consensus of the council for Patterson to visit with the family and Brad Loveless about the tree. The matter was tabled to the next meeting.

POOL: Larry reported he has visited with Schmidt Vending as to the possibility of having vending machines at the pool; the company will e-mail him a price list. The matter was tabled.

City Clerk Barb Schattak reported city staff had called area pools as requested at the last meeting and gave each member a printout of information from each city for council review.

ROAD MAINTENANCE AGREEMENT: Larry presented a road maintenance agreement with Valleybrook Township for maintaining 245th Street and Gum Street which border the Rockin Z Ridge. According to the agreement the City would maintain entrances into city property and the County would maintain the roads. After some discussion, it was the consensus of the council to not do anything at the moment.

TIGER RIDGE: Larry informed the council he had received correspondence from the owners they are not going forward with their development and wish to have the land de-annexed. After some discussion, it was suggested to wait and see what would happen at a later time.

WEBSITE: Patterson reported he and City Clerk Barb Schattak had met with Jenny Poppe of Holyfish last week. Each member received a copy of a proposal from Holyfish to update the website and create new brochures in the amount of \$4,500. After some discussion, a motion was made by Patterson to hire Holyfish to update the website and create brochures for \$4,500. Jones seconded the motion, which carried.

KS SAMPLER: Patterson recommended using the draft brochure for now for the KS Sampler Festival in May. Howard reported he had visited with Stephanie Watson about balloons for the City to hand out; she informed him Burlingame will be giving away a basket with items from their merchants in the basket. Howard asked the council if they would rather have a basket than purchase balloons. After some discussion, it was the consensus of the council to use the brochure created by Patterson and to create a basket for the KS Sampler. Howard will take care of getting items from merchants.

CITY CLERK: Presented several proposals to clean the carpet and tile at the Community Center to the council (bids are attached). After some discussion, a motion was made by Jones to hire C & M Cleaning to clean the carpet & tile for \$300. Watson seconded the motion, which carried.

Dollar General (Store #12227), 1532 Topeka, submitted two sign permit applications, which were approved by Zoning Administrator, Larry Thurston and are on file at City Hall.

City Clerk Barb Schattak presented a proclamation celebrating 42 years of fair housing declaring April as Fair Housing Month. After some discussion, a motion was made by Watson to approve the proclamation and authorize the mayor to sign on behalf of the City. Smith seconded the motion, which carried. The City Clerk will publish the proclamation in the paper.

Barb announced the City of Lyndon was accepted as a Tree City USA for 2009 and asked if the council would like to publish it in the paper. After some discussion, it was the consensus of the council to publish the honor in the paper.

Each member was given notice of a Kansas Brownsfield Workshop hosted by KDHE in Olathe on April 30th if they would like to attend.

Received correspondence from the City of Burlingame challenging each city within the county; there will be city and merchant float competition in conjunction with their annual rodeo parade on May 22, 2010. The winner of the competition would house a floating trophy for a year. After some discussion, it was the consensus of the council to not participate due to scheduling conflicts.

Reminded the council the "Cruise-In" will be held this Sunday at City Park.

City Clerk Barb Schattak reported she attended the FEMA meeting held at the Community Center on March 30th; there will be a FEMA representative visiting with her and David Wilson Wednesday morning to see if the City would qualify for any monies.

CITY ADMINISTRATOR: Larry gave each member a copy of his Administrator's Report and correspondence generated through his office.

Larry reported he has asked for a quote to trade in a mower; Grasshopper gave a quote for trade-in between \$4800 and \$5000 to replace the 2006 mower which has 434 hours on it now. After some discussion, the matter was tabled.

GOVERNING BODY COMMENTS: Patterson asked Mayor Bronson if he thought of asking to use the saddle club grounds as there is area for parking and seating. Mayor Bronson stated he will be contacting the gentleman.

Smith reported a business owner has contacted him recently regarding a water leak at his business and home. The owner wanted to know if he would need to pay the high water bill due to a problem not cause by him. Larry stated he will be reviewing his normal bill this month and will review the situation; the owner has been in City Hall to discuss the matter and he was told the City would work with him.

Howard asked if the City is in communication with Stephanie Watson for the Geo Caching event; Patterson reported he and Stephanie have started e-mailing each other about it.

Howard reported the Farmer's Market have banners they would they like to place on private property; can they do it. City Attorney Pat Walsh stated they would with the owner's permission.

Howard presented three examples from Frank Burkdoll for the Community Center sign and asked the Council which one they would like. Patterson suggested using the new city logo on the sign. After some discussion, Barb will contact Holyfish to see when the logo would be ready and Wayne will ask Frank to hold off for a little while.

Jones asked if the Council would like Larry to contact Rick Hines about the Rural Water District. Mayor Bronson stated it would be easier if the City took the water samples for the district. After some discussion, it was the consensus of the council for Larry to contact Rick Hines.

Watson asked where the City is at with the storage unit running lines toward the house; it was noted the owner informed Larry he would disconnect the lines; Larry asked to observe the project.

Dave Wilson reported he has concerns regarding the water line on the Dollar General property as it will be under the parking area. Larry has been visiting with Dollar General and he hasn't heard back from them. It was reported the water line has 18 inches of cover before it is exposed and contractors are moving heavy equipment over it. After some discussion, it was the consensus of the council for Larry to continue contacting Dollar General for them to move the water line.

At 11:30 p.m. a motion was made by Howard for adjournment to Monday, April 19, 2010, at 7:00 p.m. Smith seconded the motion, which carried.

A handwritten signature in cursive script, reading "Barbara Schattak". The ink is dark and the signature is fluid, with a large initial 'B' and a long, sweeping 'k' at the end.

Barbara Schattak
City Clerk